

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method of operating a device having at least one solid-state memory and at least one spinning media memory for storing data, the method comprising:

from time-to-time, determining whether the device is in motion; and

in response to determining that the device is not in motion, transferring frequently accessed-data between the spinning media memory and the solid-state memory.

2. (Currently Amended) The method of claim 1 wherein transferring frequently accessed-data between the spinning media memory and the solid-state memory occurs only when the device is determined not to be in motion.

3. (Currently Amended) The method of claim 1 wherein transferring frequently accessed-data between the spinning media memory and the solid-state memory includes writing data from the spinning media memory to the solid-state memory.

4. (Currently Amended) The method of claim 1 wherein transferring frequently accessed-data between the spinning media memory and the solid-state memory includes writing data from the solid-state memory to the spinning media memory.

5. (Currently Amended) The method of claim 1 wherein transferring frequently accessed-data between the spinning media memory and the solid-state memory includes:

removing less frequently accessed data from the solid-state memory; and  
copying more frequently accessed data from the spinning media memory to the  
solid-state memory.

6. (Currently Amended) The method of claim 1 wherein transferring  
~~frequently accessed data~~ between the spinning media memory and the solid-state memory  
includes:

removing less frequently accessed data from the solid-state memory; and  
copying more frequently accessed data from the spinning media memory to the  
solid-state memory, if the more frequently accessed data is not already in the solid-state memory.

7. (Original) The method of claim 1, further comprising:  
tracking frequency access information for the data.

8. (Original) The method of claim 1, further comprising:  
sensing at least one of a velocity and an acceleration of the device, and wherein  
determining whether the device is in motion is based at least in part on one of the sensed velocity  
and acceleration.

9. (Original) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory; and  
in response to determining that the requested data is in the solid-state memory,  
providing the requested data from the solid-state memory.

10. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory;  
in response to determining that the requested data is not in the solid-state memory,

determining whether the device is in motion; and  
in response to determining that the requested data is not in solid-state memory and  
that the device is not in motion, providing the requested data from the spinning media memory.

11. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory;  
in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion; ~~and~~  
in response to determining that the requested data is not in solid-state memory and  
that the device is not in motion, providing the requested data from the spinning media memory;  
and  
updating frequency access information.

12. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory; ~~and~~  
in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion; and  
in response to determining that the requested data is not in solid-state memory and  
that the device is in motion, producing a user notification that the requested data is not available  
while the device is in motion.

13. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory;  
in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion; and

in response to determining that the requested data is not in solid-state memory and that the device is in motion, producing a user notification that the requested data should not be accessed while the device is in motion.

14. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory; ~~and~~  
in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion;  
in response to determining that the requested data is not in solid-state memory and that the device is in motion, producing a user notification that the device should be stopped before retrieving the requested data;  
receiving a user override input; and  
in response to the received user override input, retrieving the requested data from the spinning media memory.

15. (Currently Amended) The method of claim 1, further comprising:  
receiving a request for data;  
determining whether the requested data is in the solid-state memory; ~~and~~  
in response to determining that the requested data is not in the solid-state memory,  
determining whether the device is in motion;  
in response to determining that the requested data is not in solid-state memory and that the device is in motion, producing a user notification that the device should be stopped before retrieving the requested data;  
receiving a user override input;  
in response to the received user override input, copying the requested data from the spinning media memory to the solid-state memory; and  
providing the requested data from the solid-state memory.

16. (Original) The method of claim 1, further comprising:  
receiving data to store;  
storing the data to the solid-state memory;  
determining whether the device is in motion;  
waiting until the device is determined not to be in motion; and  
storing the data to the spinning media memory when the device is determined not to be in motion.

17. (Original) The method of claim 1, further comprising:  
receiving data to store;  
determining whether the solid-state memory is full;  
in response to determining that the solid-state memory is full, determining whether the device is in motion; and  
in response to determining that the device is not in motion, storing the data to the spinning media memory.

18. (Currently Amended) The method of claim 1, further comprising:  
receiving data to store;  
determining whether the solid-state memory is full;  
in response to determining that the solid-state memory is full, determining whether the device is in motion; and  
in response to determining that the device is in motion, providing a user message that the device must be stopped to store the data.

19. (Currently Amended) The method of claim 1, further comprising:  
receiving data to store;  
determining whether the solid-state memory is full;  
in response to determining that the solid-state memory is full, determining whether the device is in motion;

in response to determining that the device is in motion, providing a user message that the device should be stopped to store the data;  
receiving a user override input; and  
in response to receiving the user override input, storing the data to the spinning media memory.

20. (Original) The method of claim 1, further comprising:  
disabling the spinning media memory while the device is determined to be in motion.

21. (Currently Amended) An apparatus for use with a device, the apparatus comprising:  
at least one solid-state memory;  
at least one spinning media memory; and  
a controller configured to transfer ~~frequently accessed~~ data between the spinning media memory and the solid-state memory when the device is not in motion, and to not transfer data between the spinning media memory and the solid-state memory when the device is in motion.

22. (Original) The apparatus of claim 21, further comprising:  
a motion sensor coupled to provide motion information to the controller from which the controller can determine whether the device is in motion.

23. (Original) The apparatus of claim 21, further comprising:  
a motion sensor coupled to provide at least one of velocity and acceleration information to the controller from which the controller can determine whether the device is in motion.

24. (Original) The apparatus of claim 21 wherein the device is a vehicle.

25. (Original) The apparatus of claim 21 wherein the device is a vehicle and the apparatus is incorporated into a general-purpose computing system carried by the vehicle.

26. (Original) The apparatus of claim 21 wherein the device is a vehicle and the apparatus is part of an automatic data collection unit carried by the vehicle.

27. (Currently Amended) The apparatus of claim 21 wherein the device is a user carried automatic data collection unit and the apparatus is incorporated into the user carried automatic data collection unit.

28. (Currently Amended) The apparatus of claim 21 wherein the device is a user carried general purpose computing system and the apparatus is incorporated into the user carried general purpose computing system.

29. (Currently Amended) The apparatus of claim 21 wherein the device is a general purpose computing system including a microprocessor, and the apparatus is coupled to the microprocessor via a bus interface.

30. (Currently Amended) The apparatus of claim 21 wherein the device is a general purpose computing system including a microprocessor and random access memory, and the controller of the apparatus is implemented in the microprocessor of the general-purpose computer and the solid-state memory is implemented in a random access memory of the general purpose computer.

31. (Currently Amended) An apparatus for use with a device, the apparatus comprising:

- at least one spinning media memory for storing data;
- at least one solid-state memory;

means for determining, from time-to-time, whether the device is in motion; and  
means responsive to a determination that the device is not in motion, means for transferring ~~frequently accessed~~ data between the spinning media memory and the solid-state memory when the device is determined not to be in motion.

32. (New) A system comprising:  
a vehicle; and  
an electronic system configured to be carried by the vehicle, the electronic system including  
a solid-state memory,  
a spinning media memory,  
a motion sensor configured to detect motion of the vehicle and generate motion information, and  
a controller configured to receive the motion information and transfer data between the spinning media memory and the solid-state memory based upon the motion information.

33. (New) The system of claim 32, wherein the controller transfers data between the spinning media memory and the solid-state memory when the vehicle is not in motion.

34. (New) The system of claim 32, wherein the electronic system further comprises:  
a bus configured to couple the solid-state memory, the spinning media memory, the motion sensor and the controller;  
a processing unit coupled to the bus; and  
a system memory coupled to the bus.



35. (New) The system of claim 34, where the electronic system further comprises:

- a reader coupled to the bus; and
- a decoder coupled to the bus.

36. (New) An electronic system comprising:

- a solid-state memory,
- a spinning media memory,
- a motion sensor configured to detect motion of the electronic system and generate motion information; and

- a controller configured to receive the motion information and transfer data between the spinning media memory and the solid-state memory when the electronic system is not in motion.

37. (New) The system of claim 36, wherein the electronic system further comprises:

- a bus configured to couple the solid-state memory, the spinning media memory, the motion sensor and the controller;
- a processing unit coupled to the bus; and
- a system memory coupled to the bus.

38. (New) The system of claim 37, where the electronic system further comprises:

- a reader coupled to the bus; and
- a decoder coupled to the bus.